IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST PETITION NO.54 OF 2005

Sanjay D. Ahire ....Petitioner
Versus
The State of Maharashtra & Ors. ....Respondents

Mr.L. M. Acharya with Mr.Anilkumar Patil for the Petitioner.
Mr.P. M. Patil, A. G. P. for Respondent Nos.1 to 3.

CORAM : DALVEER BHANDARI, C.J. &
S.J. VAZIFDAR, J.
DATE : 3RD AUGUST, 2005.

P.C. :

The learned counsel appearing for the Petitioner submits that there has been no election for atleast five years in the Agriculture Produce Market Committee, Malegaon. According to the Petitioner, the last election had taken place on 24.4.1995 and its tenure came to an end on 22.5.2000, thereafter no election had taken place. The administrator is functioning for a a period of five years.

2. It is also mentioned that since there is no elected body, the Agriculture Produce Market Committee has been showing loss to the

tune of lacs of rupees. Apart from that in a democratic set-up it is not proper not to hold election for several years.

3. This Court issued show cause notice and despite number of opportunities, reply has not been filed by the State Government. However, the learned counsel appearing for the State submits that the election of the Agriculture Produce Market Committee, Malegaon shall be conducted within four months from today.

4. In view of the statement of the learned counsel appearing for the State, no further directions are necessary in this Writ Petition. This Petition is accordingly disposed of.

5. The Petitioner would be at liberty to revive this Petition, in case the elections do not take place within four months from today.

CHIEF JUSTICE

S.J. VAZIFDAR, J.